

0015

USDA  
RECEIVED  
OCT 23 2014  
OALJ / HCO  
WASH, DC

15-0015

I

1

for license renewal that she received the regulations and standards contained in 9 C.F.R. Subpart A, Parts 1, 2 and 3.

## II

A. On July 21, 2010, the respondent refused to allow APHIS to inspect her animals, facilities and records, in willful violation of section 16 of the Act (7 U.S.C. § 2146) and section 2.126 of the regulations (9 C.F.R. § 2.126).

B. On July 21, 2010, APHIS partially inspected the respondent's premises and found that the respondent failed to maintain programs of adequate veterinary care under the supervision and assistance of a doctor of veterinary medicine, in willful violation of section 2.40 of the regulations (9 C.F.R. § 2.40) including but not limited to not observing dogs on a daily basis to assess their health since at least four dogs were found to have extremely matted fur.

C. On July 21, 2010, the respondent interfered with, threatened, abused (including verbal abuse), or harassed an APHIS employee in the course of carrying out his or her duties including but not limited to telling an APHIS employee to leave the respondent's premises, yelling, and using profanity directed at an APHIS employee in willful violation of section 2.4 of the regulations (9 C.F.R. § 2.4).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondent has in fact willfully

violated the Act and the regulations and standards issued under the Act, this complaint shall be served upon the respondent. The respondent shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 et seq.). Failure to file an answer shall constitute an admission of all the material allegations of this complaint.

The Animal and Plant Health Inspection Service requests: .

1. That unless the respondent fails to file an answer within the time allowed therefor, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in conformity with the Rules of Practice governing proceedings under the Act; and


2. That such order or orders be issued as are authorized by the Act and warranted under the circumstances, including an order:

(a) Requiring the respondent to cease and desist from violating the Act and the regulations and standards issued thereunder;

(b) Assessing civil penalties against the respondent in accordance with section 19 of the Act (7 U.S.C. § 2149); and

(c) Permanently revoking or suspending the respondent's license under the Act or disqualifying the respondent from obtaining a license under the Act.

Done at Washington, D.C.  
this 23<sup>rd</sup> day of October, 2014

  
\_\_\_\_\_  
Administrator  
Animal and Plant Health  
Inspection Service

Sharlene Deskins  
Attorney for Complainant  
Office of the General Counsel  
United States Department of  
Agriculture  
Washington, D.C. 20250-1417  
Telephone (202) 720-2595